

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-13607
Date Received: 2/02/1989
Receipt No: S005351
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEN MULBERRY 208-733-5062
Address: P.O. BOX H
KIMBERLY, ID 83341

OR

Name: JENNIFER MULBERRY 208-733-5062
Address: P.O. BOX H
KIMBERLY, ID 83341

2. Date of Priority: MAY 15, 1987

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	18E	6	SE	NE			TWIN FALLS

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.230		

7. Total Quantity Appropriated is:
0.270 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE & LAWN S/1000

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	18E	6	SE	NE	DOMEST	
			SE	NE	STOCK	

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMIdentification No. A47-13607
Date Received 12-20-88
Receipt Number 3005351NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

DEC 21 1988

ACQUIRED UNDER STATE LAW

Department of Water Resources
Southern Region OfficeFor Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Ken Mulberry for Jennifer Mulberry Phone (208) 733-5062
Mailing Address PO Box H Kimberly ID Zip 833412. Date of Priority (Only one per claim) May 15 1987 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 10 South Range 18 E
Section 6 SE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of Twin Falls

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Wells - pump

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.04 (cfs)
(Both dates are inclusive)
For Stock purposes from 1-1 Month/Day to 12-31 Month/Day amount .23 (cfs)7. Total quantity claimed .27 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully, (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1/1 house & yard Stock

MICROFILMED

MAR 14 1989

5/1000

10. Place of use is: Township: 10 S Range 18 E
Section 6, SE 1/4 of NE 1/4, Govt. Lot _____, B.M.,
County of Twin Falls for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Twin Falls

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) *Jennifer A. Mulberry* Date 12-20-88
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____ }
County of _____ } SS.

Subscribed and sworn (or affirmed) before me this 20th day of December 19 88

SEAL

Notary Public *Judith K. Delinnet*

Residing at Twin Falls, Id.

My Commission Expires Aug 91 **MICROFILMED**

Last Name Kew for Jenny Mulberry Ident No. _____

MAR 14 1993
Copies: White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Ken Mulberry Enterprises
P.O. Box H
Kimberly, ID 83341

A47-14363
13607

RE: SRBA Claim

Dear Claimant:

#A47-13605

Please find enclosed your claim and your ^{Receipt} ~~check~~ # S005348 for
\$ 744.00 which you submitted to our office. I am returning
these pursuant to Rule 10,4 of the Department's Adjudications Rules and
Regulations. In checking your claim it appears that the following
items need clarification:

- ☐ Item #2 Priority
- ☐ Item #4 Point of Diversion Legal Description
- ☒ Item #6 Uses descriptions
- ☐ Item #9 Description of Non-irrigation Uses
- ☒ Item #10 Place of Use Legal Description
- ☒ Item #16 Signature & Notorization *must sign for Organization in correct SPACE.*
- ☐ Improper fee (THE CORRECT FEE IS \$ _____)
- ☐ Other or Remarks

*Items #6 + #10 Do not Agree. Specifically No Irrigation use is
Claimed but is shown in Place of Use.*

If you wish to continue to press your claim please find enclosed
instructions and another claim form to use. If you will make the
necessary corrections and return your claim with the correct fee and a
copy of this letter within 30 DAYS of the date of this letter, your
filing will be considered timely and will not be assessed an additional
late fee of \$ 50.00.

~~BEFORE RETURNING THE CLAIM PLEASE READ THE ENCLOSED DRAFT TEXT FOR D&S
BROCHURE. Due to recent rulings by the court you may defer filing the
claim if you so desire but it is recommended by the Department that you
continue to press your claim. If you have any questions contact our
office.~~

Sincerely,

Allen Merritt
Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm
Enclosures:

DEC 03 1996

IN THE MATTER OF:

ADJUDICATION CLAIM

#A 47-13607

State of Idaho

County of Twin Falls

AFFIDAVIT

RECEIVED

MAR 15 1995

Department of Water Resources
Southern Region

Tenneth A. Mulken being first duly sworn,
deposes and says:

In 1987 Austin Well Drilling
established the well on this parcel. In the
Spring of 1988 450 cows 15 bulls & 432
calves and 8 horses were watered from this well.

The well has over $\frac{1}{2}$ mile of pipeline
to various locations on the property to
help water the cow herd that calves on the
location. Livestock has been on the property
continuously since 1987.

Tenneth A. Mulken
(signature)

Subscribed and sworn to before me this 14th day of March 19 95.

M. Louise White
(notary public)

Residing at Murlough, Id
My commission expires 10-17-96



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~CECIL D. ANDRUS~~
Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 11, 1995

RECEIVED JAN 12 1995

~~A47-13807~~

KEN MULBERRY
JENNIFER MULBERRY
P.O. BOX H
KIMBERLY

ID 83341

*Ken's
Home Place
Horse & Stock
& Waste Water*

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

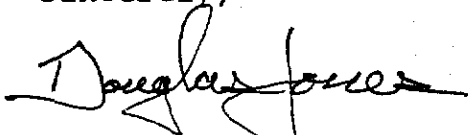
DEC 03 1996

January 11, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Douglas Jones", with a stylized flourish at the end.

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

DEC 03 1996

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KEN MULBERRY	05/15/1987	STOCKWATER	01-01 12-31	0.23 CFS	
C	JENNIFER MULBERRY		DOMESTIC	01-01 12-31	0.04 CFS	
	P.O. BOX H					
	KIMBERLY ID 83341					
	(208) 733-5062					
				TOTAL DIVERSION:	0.27 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R18E S06

SENE

TWIN FALLS County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10S	18E	6														

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10S	18E	6														

POU County: TWIN FALLS

Non-Irrigation Uses: D/1 HOUSE & LAWN S/1000

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

DEC 03 1996

AJ5809NP
No. ~~A47-10012~~

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/10/95
PAGE: 42

*Heath Wash
Water*

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KEN MULBERRY ENTERPRISES P.O. BOX H KIMBERLY ID 83341 (208) 423-5556	04/15/1905	IRRIGATION	04-15 09-30	5.00 CFS	
					TOTAL DIVERSION:	5.00 CFS
					CONSUMPTIVE USE:	192.00 AFA 144.00 AFA

Water Source: WASTE WATER

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R18E S06

SESESE

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
10S	18E	6	:																	:		
																			36	12	:	48.0
																			TOTAL ACRES		:	48.0

POU County: TWIN FALLS

Other Rights: NONE

Remarks: THE 2 FIELDS HAVE CANAL SHARES, BUT CANAL WATER CANNOT REACH THE
GROUND. THE PASTURE HAS NO OTHER WATER RIGHTS.

OWNERSHIP CHANGE 11/7/91 BY JG.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

DEC 03 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-13607
KEN MULBERRY
JENNIFER MULBERRY
P.O. BOX H
KIMBERLY

ID 83341

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

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Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

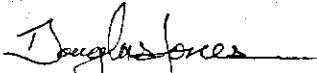
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,


Douglas Jones, P.E.
Water Rights Supervisor

Enc.

DEC 03 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R47-13607

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

MULBERRY

KEN

1 - PO BOX H

2 -

3 -

City- KIMBERLY

State- ID Zip- 83341

Phone - 208-733-5062

MULBERRY

JENNIFER

1 - PO BOX H

2 -

3 -

City- KIMBERLY

State- ID Zip- 83341

Phone - 208-733-5062

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/15/1987 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

10S 18E 6 SE NE (83) TWIN FALLS

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC

01/01

12/31

0.040

04 - STOCKWATER

01/01

12/31

0.230

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.270 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

10S 18E 6 SE NE

04 STOCKWATER

(83) TWIN FALLS

10S 18E 6 SE NE

43 DOMESTIC

(83) TWIN FALLS

Total Acres:

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - 1 HOUSE

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

EXP STOCKWATER 1000 HEAD
PARCEL NO. RP 10S18E067235

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/27/98 14:15:25
Page 2

Water right number - R47-13607

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000

- GALLONS PER DAY.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +

01/27/98 SEGBERT

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 01/27/1998	Old Judicial District	-
Claim Received Date	- 12/29/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S005351	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-20-1997

PAGE: A-94

RIGHT NUMBER: 47-13607

NAME & ADDRESS: KEN MULBERRY
JENNIFER MULBERRY ✓
PO BOX H
KIMBERLY ID 83341

SOURCE: GROUNDWATER

QUANTITY: 0.27 CFS

PRIORITY DATE: 05/15/1987

POINT OF DIVERSION: T10S R18E S06 SENE Within TWIN FALLS County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.23 CFS
	DOMESTIC D/1 HOUSE & LAWN S/1000	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within TWIN FALLS County
T10S R18E S06 SENE

DOMESTIC Within TWIN FALLS County
T10S R18E S06 SENE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

E¹/₂

RP 10S 18E 06 7235

Verified by D Smith Date: 9-9-97

Verification Source: Alpha Index